

Appl. No. 09/685,199
Amendment dated November 8, 2004
Reply to Office Action of August 6, 2004

COMMENTS AND RESPONSE

In view of the comments below, Applicant respectfully requests that the Examiner reconsider the present application including rejected claims, as amended, and withdraw the claim rejections.

Claim Rejections 35 USC § 102

The Examiner has rejected claims 1, 2, 11, 12, 21, and 22 under 35 U.S.C. § 102(b) as being allegedly anticipated by United States Patent No. 5,708,383 to Lee ("Lee").

In an effort to expedite prosecution in this case, and in no way acquiescing to this rejection, Applicant has amended claims 1, 11, and 21 to incorporate the limitations of allowed claims. In particular, Applicant has amended claim 1 to include the limitations of allowed claim 3, have amended claim 11 to include the limitations of allowed claim 16, and have amended claim 21 to include the limitations of allowed claim 25. This places claims 1, 11, and 21 in condition for allowance.

By this response Applicant has cancelled claims 2, 12, and 22, thus rendering moot this ground of rejection as it pertains to these claims.

Therefore, based on at least the reasons given above, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 2, 11, 12, 21, and 22 under 35 U.S.C. § 102(b) as being allegedly anticipated by Lee.

Claim Rejections 35 USC § 103

The Examiner has rejected claims 41, 42, 51, 52, 61, 62, 81, 82, 91, 92, 101 and 102 under 35 U.S.C. § 103(a) as being allegedly unpatentable over United States Patent No.

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6,304,623 to Richards ("Richards"), in view of United States Patent No. 5,708,383 to Lee ("Lee").

In an effort to expedite prosecution in this case, and in no way acquiescing to this rejection, Applicant has amended claims 41, 51, 61, 81, 91, and 101 to incorporate the limitations of allowed claims. In particular, Applicant has amended claim 41 to include the limitations of allowed claim 48, have amended claim 51 to include the limitations of allowed claim 56, have amended claim 61 to include the limitations of allowed claim 68, have amended claim 81 to include the limitations of allowed claim 85, have amended claim 91 to include the limitations of allowed claim 100, and have amended claim 101 to include the limitations of allowed claim 109. This places claims 41, 51, 61, 81, 91, and 101 in condition for allowance.

By this response Applicant has cancelled claims 42, 52, 62, 82, 92, and 102, thus rendering moot this ground of rejection as it pertains to these claims.

Therefore, based on at least the reasons given above, Applicant respectfully requests that the Examiner withdraw the rejection of claims 41, 42, 51, 52, 61, 62, 81, 82, 91, 92, 101 and 102 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Richards, in view of Lee.

The Examiner has rejected claims 31, 32, 71, 72, 111 and 112 under 35 U.S.C. 103(a) as being allegedly unpatentable over Lee and Richards, further in view of United States Patent No. 5,852,630 to Langberg et al. ("Langberg").

In an effort to expedite prosecution in this case, and in no way acquiescing to this rejection, Applicant has amended claims 31, 71, and 111 to incorporate the limitations of allowed claims. In particular, Applicant has amended claim 31 to include the limitations of allowed claim 37, have amended claim 71 to include the limitations of allowed claim 73, and have amended

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claim 111 to include the limitations of allowed claim 113. This places claims 31, 71, and 111 in condition for allowance.

By this response Applicant has cancelled claims 32, 72, and 112, thus rendering moot this ground of rejection as it pertains to these claims.

Therefore, based on at least the reasons given above, Applicant respectfully requests that the Examiner withdraw the rejection of claims 31, 32, 71, 72, 111 and 112 under 35 U.S.C. 103(a) as being allegedly unpatentable over Lee and Richards, further in view of Langberg.

Claim Amendments

By this response Applicant has amended claims 4, 74, and 114 to depend from claims 1, 71, and 111, respectively. This amendment is being made because claims 3, 73, and 113 have been cancelled and their limitations incorporated into claims 1, 71, and 111, respectively.

Because these amendments do not in any way change the scope of claims 4, 74, or 114, they should not limit the application of the doctrine of equivalents to these claims.

Applicant has also cancelled claims 3, 16, 25, 37, 48, 59, 68, 73, 85, 100, 109, and 113. The limitations of these claims have been incorporated into claims 1, 11, 21, 31, 41, 51, 61, 71, 81, 91, 101, and 111, respectively. However, since amended claims 1, 11, 21, 31, 41, 51, 61, 71, 81, 91, 101, and 111 are identical in scope to cancelled claims 3, 16, 25, 37, 48, 59, 68, 73, 85, 100, 109, and 113, no matter has been given up by these claim cancellations.

Furthermore, the amendment of claims 1, 11, 21, 31, 41, 51, 61, 71, 81, 91, 101, and 111 should not limit the application of the doctrine of equivalents because these claims are identical in scope to cancelled claims 3, 16, 25, 37, 48, 59, 68, 73, 85, 100, 109, and 113.

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Conclusion

Accordingly, Applicant respectfully submits that the claims, as amended, clearly and patentably distinguish over the cited references of record and as such are deemed allowable. Such allowance is hereby earnestly and respectfully solicited at an early date. If the Examiner has any suggestions, comments, or questions, calls are welcome at the telephone number below.

Although it is not anticipated that any additional fees are due or payable, the Commissioner is hereby authorized to charge any fees that may be required to Deposit Account No. 50-1147.

Respectfully Submitted,



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